

35. (As filed) A method as in claim 31, wherein the inventory items in each store are different from each other.

36. (As filed) A method as in claim 31, wherein each store is independently managed.

REMARKS

Claims 1-36 have been examined. Claims 1, 16, 21 and 31 have been amended. Reconsideration of the claims, as amended, is respectfully requested.

Claims 1-36 have been rejected under 35 U.S.C. 102(b) as being anticipated by Searcy. This rejection is respectfully traversed in part and overcome in part.

As now amended, independent claim 1 claims a system for facilitating the presentation of inventory items and comprises a plurality of separate stores, with each store having at least one outside entrance. An elongate wall separates each store, with each wall having a doorway. Further, the doorways are aligned with each other, and an aisle passes through each doorway such that a customer may visualize at least some of the interior of each store while standing in the aisle and looking down the aisle.

In contrast to the system of claim 1, the Searcy patent describes a store arrangement having a set of store rooms 64, 66, and 116. The Searcy patent describes store rooms 64 and 66 as being for goods which may not be immediately displayed, but are stored for future display or other purposes. See column 4, lines 66-68. As such, a customer may not stand on an aisle that passes through a doorway of each store to visualize the interior of each of the rooms as claimed in claim 1. Hence, claim 1 should be distinguishable as filed. However, in order to further distinguish claim 1 over Searcy, claim 1 has been amended to recite that each store has at least one outside entrance. As clearly shown in Fig. 1 of Searcy, store rooms 64, 66, and 116 do not have separate outside entrances. Hence, claim 1 is distinguishable for this additional reason. It is therefore

respectfully requested that the § 102(b) of claim 1 be withdrawn. Claim 2-4 and 6-10 depend from claim 1 and are distinguishable for at least the reasons given in connection with claim 1.

Independent claim 11 claims a building for housing groups of inventory items. The building comprises an outer structure that defines an interior. A plurality of elongate dividers are within the interior and divide the interior into separate stores. Further, each divider includes a pair of openings. An aisle circuits through the interior and passes through each of the openings so that a customer may walk along the aisle to circuit through each of the stores.

Nowhere in the Searcy patent is there any description of dividers having a pair of opening an aisle that circuits through the openings. Indeed, nowhere in store room 64, 66 and 116 is such a pair of doorways and an aisle illustrated. Hence, claim 11 is distinguishable over Searcy without amendment. Claims 12-15 depend from claim 11.

Independent claim 16 claims a system for visually displaying unique groups of inventory items. Claim 16 is similar to independent claim 1 and further includes the limitation that each store has a unique group of inventory items that are selected from the group consisting of bed mattresses, wood bedroom furniture, oak furniture and living room furniture. In contrast to the system of claim 16, nowhere in the Searcy patent is there any description of stores having unique groups of inventory items that customers may walk through in the manner cited in claim 16. Further, the Searcy patent fails to describe the unique group of bed mattresses, wood bedroom furniture, oak furniture and living room furniture. Hence, claim 16 which has been amended to include such a group is distinguishable over Searcy. Claims 18-20 depend from claim 16 are distinguishable for at least the reasons given in connection with Claim 16.

Independent claim 21 claims a methods for presenting inventory items and comprises the steps of providing a plurality of stores which are separated from each other by elongate walls, which each wall having a doorway, and with the doorways being

aligned with each other. The customer stands in an aisle which passes through each doorway and looks down the aisle to visualize at least some of the interior of each store. The customer then selects an item within one of the stores and purchases the item while in the store.

As previously described, the Searcy patent fails to teach such a store layout which offers the customer the ability to stand in an aisle and look down the aisle to visualize the items within the interior of each of the stores. Further, since store rooms 64, 66 and 116 of Searcy are for storing inventory items, the Searcy patent teaches away from a customer selecting an item within such a store and then purchasing the item while it is in the store.

Hence, claim 21 which has been amended to further recite the steps of "selecting an item within one of the stores; and purchasing the item while within the store" is distinguishable from Searcy. Claims 22-24 depend from claim 21.

Independent claim 25 claims a method for presenting inventory items and includes the steps of standing in an aisle and looking the length of the aisle to visualize at least part of the interior of each store. The customer then selects the desired store, walks along the aisle until within the desired store, and visually scans the inventory of items within the desired store while standing within the aisle. The customer then selects the desired item within the desired store.

As previously described, the Searcy patent teaches away from a customer walking through store rooms 64, 66 and 116. Hence, claim 25 is distinguishable over Searcy without amendment. Claims 26-30 depend from claim 25.

Claim 31 claims a method for enhancing displays within a building and includes among other limitations unique groups of inventory items within interconnected stores. With such a layout, a customer walks through each of the stores, with the dividers being arranged such that generally only one of the unique groups of items can be visualized at any given location within the interior when off of the aisle.

As previously described, the Searcy patent fails to describe having a customer walking through store rooms 64, 66 and 116 in the manner claimed in claim 31. In order to further clarify this distinction, claim 31 has been amended to recite that a customer walks through each of the stores. Since such a step is not taught in Searcy, claim 31 is distinguishable. Claims 32-36 depend from claim 31.

In the Office Action, the Examiner also took Judicial Notice "that in most department stores such as Macy's, Nordstroms, Bloomingdales, etc., there are separate sections/departments, (with orthogonal walls and distinct entrances), reserved for special merchandises such as designers, furs, evening wears, etc., that could be considered as "separate stores" which are managed by separate sales staff from other sections/departments. Customers would be able to walk through those sections/departments and be able to view the merchandises in other sections/departments when looking down the aisle/walk through spaces."

Applicant traverses the Examiner's taking of Judicial Notice that such department stores have separate sections/departments which are "separate stores" as asserted in the Office Action. As set forth in MPEP § 2144.03, Applicant respectfully requests that such facts be supplied in an affidavit from the Examiner. Applicant further disagrees that such department stores have separate outside entrances for each of the sections/departments as recited in claim 1. Further, it is disagreed that such sections/departments are separated by doorways which are aligned with each other as recited in the claims of the application.

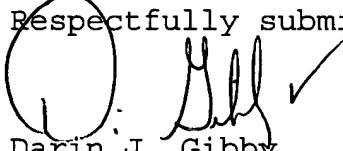
In the Office Action, the Examiner further took Judicial Notice that "in mini-malls such as Potomac Mills, Tyson's Corner, Pentagon City Mall located in Northern Virginia there are separate stores (the orthogonal walls and distinct entrances) each specializing in one type of merchandises such as furniture, clothing, toys, etc., that is managed by their own sales staff." The Applicant is unfamiliar with such stores and

requests pursuant to MPEP § 2144.03 that the Examiner provide specific facts of such malls in an affidavit form. Since it is unclear as to the specific layout of such malls, as set forth in the Office Action, such taking of Judicial Notice is respectfully traversed.

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (303) 571-4000.

Respectfully submitted,

  
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